

1 **Amendment to the Claims**

2 **In the Claims:**

3 Please amend Claims 1-3, 6, 8, 9, 20, 23, 32, 35, 37, 39, and 45-47 as follows:

4 1. (Currently Amended) A method for facilitating automated sale of softgoods, comprising
5 the steps of:

6 (a) providing a creator program to a creator of the softgoods that automatically
7 includes a unique identifier in each softgood before the softgood is distributed to prospective
8 purchasers, said unique identifier specifically referencing the creator of the softgoods, the creator
9 program producing softgoods that require the use of a specific player program to enable playback of
10 softgoods authored with the creator program, the specific player program being configured to
11 determine if the softgood is registered on the computing device on which the specific player program
12 is installed before enabling playback of a softgood that was produced by the creator program, so that
13 if a softgood is not registered on the computing device on which the specific player program is
14 installed, the specific player program enables playback of said softgood in a demo mode, and if the
15 softgood is registered on the computing device on which the specific player program is installed, the
16 specific player program enables playback of said softgood in a full mode, wherein registration of the
17 softgood is implemented by creating a registration value that is accessible by the computing device, a
18 different registration value being created for each softgood registered on the computing device;

19 (b) distributing the softgoods and the specific player program to prospective
20 purchasers, such that the distribution is not limited to a distribution over private networks; and

21 (c) providing an agency having a server that implements softgood purchase
22 transactions and maintains a database in which data relating to the sale of softgoods are stored,
23 unique identifiers of the softgoods being referenced in the database to track the softgood purchase
24 transactions, such that for softgoods that are purchased, the database maintains data relating to
25 purchasers of the softgoods for as long as the agency is managing purchases of the softgoods,
26 ~~softgoods that were distributed to the prospective purchasers and then purchased being unchanged as~~
27 ~~a result of a purchase transaction~~ said agency responding to a purchase of a softgood by transmitting
28 the registration value identifying the softgood that was purchased to a first computing device used to
29 initiate the purchase, so that a first copy of the specific player program installed on the first
30 computing device will recognize that the softgood that was purchased is registered on the first

1 computing device and thus enable playback of the softgood that was purchased in the full mode,
2 whereas a second copy of the specific player program installed on a different computing device does
3 not enable playback of the softgood that was purchased in the full mode, unless the registration value
4 for the softgood that was purchased is provided to the different computing device, thereby registering
5 the softgood that was purchased on the different computing device.

6 2. (Currently Amended) The method of Claim 1, wherein the unique identifier for each
7 softgood also references a unique identifier for the creator program provided to the creator, ~~said~~
8 ~~program being and~~ used to create the unencrypted softgood, the unique identifier distinguishing the
9 specific copy of the creator program used by the creator from all other copies of the creator program.

10 3. (Currently Amended) The method of Claim 1, wherein the creator program automatically
11 communicates the unique identifier for the softgood over a network to the server for storage in the
12 database.

13 4. (Original) The method of Claim 1, wherein the unique identifier of the softgood is
14 communicated to the agency for storage in the database by the server during the purchase transaction
15 for said softgood.

16 5. (Original) The method of Claim 1, further comprising the step of automatically including
17 a base price within each softgood prior to the step of distributing the softgoods.

18 6. (Currently Amended) The method of Claim 1, ~~further comprising the step of providing a~~
19 ~~program for playing the softgood that also communicates with the server to enable the purchase of~~
20 ~~the softgood~~ wherein the registration value for the purchased softgood transmitted by the agency
21 includes an identity of the purchaser, so that the registration value for the softgood that was
22 purchased cannot be registered on an additional computing device to enable a copy of the specific
23 player program installed on the additional computing device to playback the softgood in the full
24 mode, unless the purchaser is identified as an authorized user of the additional computing device.

25 7. (Original) The method of Claim 1, wherein the unique identifier for a softgood is
26 communicated to the agency and entered into the database when the softgood is first purchased.

27 8. (Currently Amended) A method for facilitating purchase of a softgood that is freely
28 distributed to prospective purchasers for preview within a player program and which includes a unique
29 identifier that is assigned to the softgood before the softgood is distributed, comprising the steps of:

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1 (a) enabling prospective purchasers to preview the softgood with the player program
2 to a limited extent, prior to deciding to purchase the softgood, wherein during such preview, a prospective
3 purchaser possesses a complete copy of the softgood, regardless of how the softgood was obtained, but
4 the player program controls access to the softgood and allows the prospective purchaser only limited
5 access to the softgood, the player program being configured to determine if the softgood is registered
6 on the computing device on which the player program is installed before enabling playback of a
7 softgood, so that if a softgood is not registered on the computing device on which the player program
8 is installed, the player program enables playback of said softgood in a demo mode, and if the
9 softgood is registered on the computing device on which the player program is installed, the player
10 program enables playback of said softgood in a full mode, wherein registration of the softgood is
11 implemented by creating a registration value that is accessible by the computing device;

12 (b) enabling purchase of the softgood from within the player program by
13 connecting a computer on which the player program is executing with an e-commerce agency to
14 initiate a network transaction, purchase of the softgood causing data related to the purchase to be
15 recorded in ~~the~~ a database of the e-commerce agency and causing a registration value that references
16 the unique identifier to be transmitted to the computer on which the player program is executing, a
17 different registration value being provided for each softgood that is purchased; and

18 (c) ~~using the player program,~~ registering the softgood on the computer employed
19 for the network transaction using the registration value provided by the e-commerce agency, each
20 registration value received being added to a softgood registration file stored on the computer
21 employed for the network transaction, registration of the softgood on the computer enabling the
22 softgood to be played by the player program beyond the limited extent of the preview, the program
23 player thereafter allowing a purchaser who has thus purchased the softgood to fully access the softgood.

24 9. (Currently Amended) The method of Claim 8, further comprising the step of including at
25 least one of an identification of a creator of the softgood, an identification of a specific copy of a
26 software product used to produce the softgood, and a price in the softgood, prior to its distribution.

27 10. (Original) The method of Claim 8, further comprising the steps of using the player program
28 to transmit an identification of a purchaser of the softgood to the e-commerce agency during the network
29 transaction, to enable the e-commerce agency to debit a financial account of the purchaser for a purchase
30 price of the softgood.

1 11. (Original) The method of Claim 10, wherein financial account numbers of purchasers of
2 softgoods are stored in the database, a financial account number of a purchaser being used to debit an
3 account of said purchaser as a result of the network transaction.

4 12. (Original) The method of Claim 8, wherein the step of registering comprises the step of
5 modifying the softgood to include the registration value and recording the registration value in a file,
6 said registration value referencing at least one of an identification of the player program, an
7 identification of the user, and the unique identifier for the softgood.

8 13. (Original) The method of Claim 8, further comprising the step of including a prohibition
9 of a purchaser modifying the softgood within the softgood.

10 14. (Original) The method of Claim 8, further comprising the step of registering each
11 instance of the player program with a player identification in the database of the e-commerce agency.

12 15. (Original) The method of Claim 14, wherein the registration value comprises a
13 combination of at least two of: the unique softgood identification, the player identification, and an
14 identification of the purchaser of the softgood.

15 16. (Original) The method of Claim 8, wherein the softgood is not usable on the computer for
16 more than a predefined number of times, unless registered on the computer.

17 17. (Original) The method of Claim 8, wherein the step of enabling prospective purchasers to
18 preview the softgood comprises the step of permitting the softgood to be played with only a substantially
19 reduced quality, unless registered on the computer.

20 18. (Original) The method of Claim 8, further comprising the step of sending a message over
21 the network to advise a purchaser of the registration value that was used to register the softgood on
22 the computer of the purchaser.

23 19. (Original) A computer-readable medium having computer-executable instructions
24 comprising the player program, for performing the steps recited in Claim 8.

25 20. (Currently Amended) A method for controlling play of a softgood on a computer using a
26 player program, said player program also being employed to purchase the softgood through a network
27 transaction, comprising the steps of:

28 (a) enabling a user to preview the softgood on the computer within the player
29 program, the player program being configured to determine if the unencrypted softgood is registered
30 on the computer on which the player program is installed before enabling playback of a softgood, so

1 that if a particular softgood is not registered on the computer on which the player program is
2 installed, the player program enables playback of the particular softgood in a demo mode, and if the
3 particular softgood is registered on the computer on which the player program is installed, the player
4 program enables playback of the particular softgood in a full mode, wherein the registration is
5 implemented by providing a registration value, a different registration value being required for each
6 softgood; and

7 (b) enabling the user to purchase the softgood through a transaction conducted
8 from within the player program, such that after the user has purchased the softgood, the softgood is
9 registered on the computer using a registration value provided during the transaction, said registration
10 value identifying being based in part on a unique identifier for the softgood provided by a software
11 program used to create the softgood, each registration value received being added to a softgood
12 registration file stored on the computer, registration of the softgood on the computer providing access
13 to the softgood in accord with a license to the softgood so that it is thereafter playable on the
14 computer with the player program beyond a preview limit.

15 21. (Previously Canceled)

16 22. (Previously Presented) The method of Claim 20, wherein if the softgood is transferred to
17 a different computer after being purchased, the softgood must again be registered on the different
18 computer to enable the softgood to be played beyond the preview limit on the different computer.

19 23. (Currently Amended) The method of Claim 20, wherein the registration value includes is
20 further based on at least one of:

- 21 (a) a ~~unique identifier for the~~ name of the purchaser of the unencrypted softgood;
22 (b) a unique identifier for the player program; and
23 (c) an identifier for a creator of the softgood; and
24 (d) ~~a name of the purchaser of the softgood.~~

25 24. (Previously Presented) The method of Claim 20, wherein the step of enabling the user to
26 purchase the softgood through a transaction conducted from within the player program comprises the
27 steps of:

28 (a) confirming that a financial account number provided by a purchaser is valid
29 and is approved for purchase of the softgood by checking the financial account number with an
30 approval service during the transaction; and if the financial account number is valid and approved,

- 1 (b) transmitting the registration value to the purchaser; and if not,
2 (c) advising the purchaser that purchase of the softgood was disapproved.

3 25. (Previously Presented) The method of Claim 20, further comprising the step of
4 maintaining a database on an e-commerce server in which an identification of each purchaser and a
5 list of each softgood purchased by each purchaser are included, to facilitate distribution of at least a
6 portion of the purchase price of the softgood to a creator of the softgood, and to store the registration
7 value so that the purchaser can again reregister the softgood on a computer if the registration of the
8 softgood on the computer is lost.

9 26. (Original) The method of Claim 25, wherein data stored in the database also include a
10 financial account number for each purchaser of softgoods, said financial account numbers being
11 provided by the purchasers, further comprising the step of charging the financial account referenced
12 by the financial account number of a purchaser during the transaction.

13 27. (Original) The method of Claim 26, further comprising the step of encrypting the
14 financial account number for transmittal over the network to the database.

15 28. (Original) The method of Claim 27, wherein the player program is used to encrypt a
16 communication for transmission over the network during the transaction.

17 29. (Original) The method of Claim 25, wherein the database also includes a current price
18 for each softgood, further comprising the step of advising a purchaser of the current price of the
19 softgood being purchased during the transaction.

20 30. (Original) The method of Claim 21, further comprising the step of employing the player
21 program to transmit information over a network to an e-commerce agency to implement purchase of a
22 softgood, using a secure communication protocol.

23 31. (Original) A computer-readable medium having computer-executable instructions for
24 performing the steps recited in Claim 20.

25 32. (Currently Amended) A system for facilitating purchase of a softgood of which copies
26 are freely distributed to prospective purchasers for preview prior to purchase, said softgood having a
27 unique identifier that is included within the softgood before its distribution, comprising:

- 28 (a) a purchaser computer that includes a first processor, a first memory in which a
29 plurality of machine instructions are stored that implement a plurality of functions when executed by
30 the processor, a first network interface coupling the computer in communication with a network, at

1 least one user interface for input of data to the memory, and a display on which graphics and text are
2 displayed;

3 (b) a remote computer that includes a second processor, a second memory in
4 which are stored a plurality of machine instructions that implement a plurality of functions when
5 executed by the second processor, and in which a database containing data relating to purchases of
6 softgoods are stored, a second network interface coupling the remote computer in communication
7 with the network and thereby selectively coupling the remote computer in data communication with
8 the purchaser computer via the network;

9 (c) a softgood comprising machine instructions or media data that are loaded into
10 the first memory of the purchaser computer, the softgood not including any copy protection that
11 prohibits the softgood from being freely copied and freely distributed, other of the machine
12 instructions stored in the first memory comprising a player program that uses the softgood, said
13 player program carrying out a plurality of the functions when the machine instructions of the player
14 program are executed by the first processor, including:

15 (i) enabling the softgood to be previewed to a limited extent prior to the
16 user purchasing the softgood;

17 (ii) enabling the user to purchase the softgood in a transaction with the
18 remote computer that is conducted over the network;

19 (iii) registering the softgood on the purchaser computer after the softgood
20 has been purchased, said softgood being thus registered using a registration value provided by the
21 remote computer, each registration value received being added to a registration file stored on the
22 purchaser computer; and

23 (iv) checking for a registration of the softgood on the purchaser computer and
24 enabling the softgood to be used by the player program beyond the limited extent of the preview only if
25 the softgood is determined to be registered on the purchaser computer; and

26 (d) wherein said plurality of functions implemented by said second processor in
27 the remote computer include:

28 (i) responding to a request to purchase the softgood received over the
29 network from the purchaser computer;

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1 (ii) confirming an approval of a credit purchase by the user of the
2 purchaser computer with a credit approval agency that is coupled to the network;

3 (iii) determining the registration value as a function of at least the unique
4 identifier of the softgood and sending the registration value to the ~~remote~~ purchaser computer over
5 the network to register the softgood on the purchaser's computer, each registration value received
6 being added to the registration file stored on the purchaser computer; and

7 (iv) allocating a portion of a purchase price of the softgood set by terms of a
8 prior agreement to a creator of the softgood.

9 33. (Original) The system of Claim 32, wherein the plurality of functions implemented by
10 the second processor include:

11 (a) checking the data stored in the database to determine if data for the user
12 purchasing a softgood are already included within the database; and if so,

13 (b) using a financial account number included in the data for implementing the
14 purchase of the softgood; and

15 (c) storing the unique identifier for the softgood purchased in association with the
16 user, within the data of the database.

17 34. (Original) The system of Claim 32, wherein the registration value is further based on at least
18 one of:

19 (a) a user identifier that identifies the purchaser of the softgood;

20 (b) an identifier for the creator of the softgood;

21 (c) a unique identification for the player program; and

22 (d) an identification of the purchaser of the softgood.

23 35. (Currently Amended) A system for facilitating automated sale of softgoods from which a
24 revenue stream is returned to each creator of the softgoods, each softgood including a unique identifier,
25 comprising:

26 (a) creator computers that execute at least one software program used by creators
27 of the softgoods to produce the softgoods and to assign the unique identifier to the softgoods
28 produced thereby, said creator computers including network interfaces that couple the creator
29 computers to a publicly accessible network, the creators of the softgoods entering into agreements
30 with an e-commerce agency in which the e-commerce agency agrees to facilitate the automated sale

1 of the softgoods and to return a portion of the revenue stream from the automated sale to the creators
2 of the softgoods; and

3 (b) a server computer operated by the e-commerce agency, said server computer
4 maintaining a database in which data relating to the softgoods are stored, said data including unique
5 identifiers for the softgoods, said server computer also including a network interface coupling the server
6 computer in communication with the publicly accessible network and ~~receiving~~ being configured to
7 receive the unique identifier for each softgood from ~~one~~ each of:

8 (i) the creator computers before distribution of the softgood to prospective
9 purchasers; and

10 (ii) a user of the softgood at a sale of the softgood, a purchase of a softgood
11 being initiated when a softgood is being used, said purchase by a user of the softgood causing the
12 server computer to confirm approval of a credit transaction for the user by an on-line communication
13 with a credit approval agency, and if the credit transaction is approved, to transmit a registration
14 value over the publicly accessible network to a computer of the user to register the softgood on the
15 computer of the user, and to enter data related to the purchase within the database, ~~whereas without~~
16 ~~the registration value, a user is allowed only limited access to the softgood, each registration value~~
17 received being added to the computer of the user, a presence of a registration value corresponding to
18 a specific unencrypted softgood enabling playback of the specific unencrypted softgood in a full
19 mode, an absence of a registration value corresponding to the specific unencrypted softgood enabling
20 playback of the unencrypted softgood only in a demo mode.

21 36. (Original) The system of Claim 35, wherein the registration value is based upon at least
22 one of the user's name, the unique identifier for the softgood, an identifier for the creator of the
23 softgood, and a unique identification of a player program that is executed on the computer of the user
24 to play the softgood.

25 37. (Currently Amended) The system of Claim 35, wherein each of the softgoods includes at
26 least one of an identification of a specific copy of the software program used to produce the softgood,
27 an identification of the creator of the softgood, and a price of the softgood.

28 38. (Original) The system of Claim 35, wherein the server computer sends a current price to
29 the user before the purchase is completed, said current price being stored in the data of the database.

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1 39. (Currently Amended) The system of Claim 35, wherein the softgood enables the user to
2 purchase the softgood ~~when~~ while the softgood is being executed on the computer of the user.

3 40. (Original) The system of Claim 35, wherein a player program that is used to play the
4 softgood communicates with the server computer over the network to facilitate the purchase of the
5 softgood.

6 41. (Original) The system of Claim 35, wherein a preview of the softgood to a limited extent
7 is permitted on the computer of the user before the softgood is purchased, and once the softgood is
8 registered on the computer of the user using the registration value, use of the softgood on the
9 computer of the user is permitted to an extent determined by a license of the softgood.

10 42. (Previously Cancelled)

11 43. (Previously Cancelled)

12 44. (Previously Cancelled)

13 45. (Currently Amended) A method for facilitating automated sale of softgoods, comprising
14 the steps of:

15 (a) providing to a creator of the softgoods a composer program that automatically
16 includes a unique identifier in each softgood before the softgood is distributed to prospective
17 purchasers, said unique identifier specifically referencing the creator of the softgoods, such that
18 softgoods created using the composer program:

19 (i) require a specific player program to be accessed; and
20 (ii) do not include any copy protection that prohibits the softgood from
21 being freely copied and freely distributed;

22 (b) providing an agency that implements softgood purchase transactions and
23 maintains a database in which data relating to the sale of softgoods are stored, unique identifiers of
24 the softgoods being referenced in the database to track the softgood purchase transactions, such that
25 whenever a softgood is purchased, the agency provides a registration value corresponding to the unique
26 identifier for the softgood purchased to a computing system used to purchase the softgood;

27 (c) providing the specific player program to prospective purchasers, such that each
28 time the specific player program is used to play a softgood created using the composer program, the
29 specific player program automatically:

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1 (i) checks the computing system on which the specific player program is
2 executing, to determine if a registration value corresponding to the unique identifier for the softgood has
3 been provided to said computing system to register the softgood on the computing system, and if so, plays
4 the softgood, providing access to its full range of benefits; but

5 (ii) if the registration value has not been provided to the computing system,
6 only ~~enabling~~ enables playing of the softgood in a preview mode, and ~~prompting~~ prompts a user to
7 purchase the softgood in a transaction with the agency; and

8 (d) distributing the softgoods to prospective purchasers, such distribution not
9 being limited to distribution over a private network.

10 46. (Currently Amended) The method of Claim 42 45, wherein if the registration value has
11 not been provided to the computing system, the specific player program automatically communicates
12 with the agency to determine if the unique identifier for the softgood is associated with a purchase of
13 the softgood made by a purchaser who is an authorized user of the computing system on which the
14 specific player program is resident, and if so, plays the softgood with its full range of benefits.

15 47. (Previously Presented) A system for facilitating purchase of a softgood of which copies
16 are freely distributed to prospective purchasers for preview prior to purchase, said softgood having a
17 unique identifier that is included within the softgood before its distribution, comprising:

18 (a) a purchaser computer that includes a first processor coupled to a first memory
19 in which a plurality of machine instructions are stored that implement a plurality of functions when
20 executed by the first processor, a first network interface coupling the purchaser computer in
21 communication with a network, at least one user interface for input of data to the first memory, and a
22 display on which graphics and text are displayed;

23 (b) a remote computer that includes a second processor coupled to a second
24 memory in which are stored a plurality of machine instructions that implement a plurality of
25 functions when executed by the second processor, and in which a database containing data relating to
26 purchases of softgoods are stored, a second network interface coupling the remote computer in
27 communication with the network and thereby selectively coupling the remote computer in data
28 communication with the purchaser computer via the network;

29 (c) the softgood comprising machine instructions or media data that are loaded
30 into the first memory of the purchaser computer and not including any copy protection that prohibits

1 the softgood from being freely copied and freely distributed, wherein other of the machine
2 instructions stored in the first memory comprise a player program that uses the softgood, said player
3 program causing the first processor to carry out a plurality of the functions when the machine
4 instructions of the player program are executed by the first processor, including:

5 (i) determining if a registration value corresponding to the unique
6 identifier of the softgood that is to be played has been provided to the purchaser computer, and if so,
7 playing the softgood so as to provide access to its full range of benefits;

8 (ii) if a registration value corresponding to the unique identifier of the
9 softgood that is to be played has not been provided to the purchaser computer, communicating with
10 the database on the remote computer over the network to determine if an authorized user of the
11 purchaser computer has previously purchased the softgood that is to be played, and if so, playing the
12 softgood so as to provide access to its full range of benefits; and

13 (iii) if a registration value corresponding to the unique identifier of a
14 softgood that is to be played has not been provided to purchaser computer on which the player
15 program is resident, and if no authorized user of the purchaser computer has previously purchased the
16 softgood that is to be played, playing the softgood so as to provide a limited access, to enable a preview
17 of the softgood, and enabling a user of the purchaser computer to purchase the softgood in a
18 transaction with the remote computer that is conducted over the network, such that when a softgood
19 is purchased, a registration value corresponding to the unique identifier of a softgood is received with
20 the softgood; and

21 (d) wherein said plurality of functions implemented by said second processor in
22 the remote computer include:

23 (i) responding to a request to purchase the softgood received over the
24 network from the purchaser computer;

25 (ii) confirming an approval of a credit purchase by the user of the
26 purchaser computer with a credit approval agency that is coupled to the network;

27 (iii) determining the registration value as a function of at least the unique
28 identifier of the softgood;

29 (iv) sending the registration value to the remote computer over the network
30 to register the softgood on the purchaser's computer; and

pl 1 (v) allocating a portion of a purchase price of the softgood set by terms of a prior
2 agreement to a creator of the softgood.

3 Please add new Claim 48 as follows:

4 --48. (New) The method of Claim 45, wherein the softgood is not encrypted.--

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